

**The Honorable Robert S. Lasnik**

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
v.  
  
KIMBERLY R. JONES,  
a.k.a. KIMBERLY R. YOUNGER,  
  
Defendant/Judgment Debtor,  
  
and  
  
WAL-MART ASSOCIATES, INC.,  
  
Garnishee.

NO. 2:16-MC-00171-RSL  
  
(2:08-CR-0198-5)

~~Proposed~~ Order Granting United  
States' Petition for Order Requiring  
Proper Answer and Withholding

This matter came before the Court on the United States' April 17, 2017, "Objection to Wal-Mart's Answer to Writ of Garnishment and Petition for Order Requiring Proper Answer and Withholding." The Court has considered the United States' Motion and the supporting evidence attached thereto, as well as any memorandum and evidence Garnishee Wal-Mart Associates, Inc. (Wal-Mart) has filed in opposition. For the reasons stated in the United States' Motion, the Court finds that (1) Wal-Mart failed to file an Answer to the Writ of

~~PROPOSED~~ ORDER GRANTING UNITED STATES'  
PETITION FOR ORDER REQUIRING PROPER ANSWER  
AND WITHHOLDING

(USA v. Kimberly R. Jones a.k.a. Kimberly R. Younger and  
Wal-Mart Associates, Inc., No. 2:16-MC-00171-RSL / 2:08-CR-0198-5) - 1

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1 Garnishment within the 10 days permitted by the Writ; (2) Wal-Mart's Answer  
2 [dkt. no. 7] does not use the "Form Answer" required by the Writ of  
3 Garnishment, and (3) Wal-Mart has not withheld the required 10 percent of  
4 Defendant-Judgment Debtor Kimberly R. Jones-Younger's (Ms. Jones-  
5 Younger) disposable earnings since the United States served it with the Writ of  
6 Garnishment on November 5, 2016.

7  
8 Accordingly, pursuant to 28 U.S.C. § 3205(c)(6), the Court orders as  
9 follows:  
10

11 (1) Within 10 days of the entry of this Order, Wal-Mart shall file a proper  
12 Answer to the Writ of Garnishment, using the "Form Answer" that was served  
13 upon Wal-Mart with the Writ of Garnishment;

14 (2) Wal-Mart shall immediately begin withholding 10 percent of Ms.  
15 Jones-Younger's disposable earnings, pursuant to the Writ of Garnishment;  
16

17 (3) Within 30 days of the entry of this Order, Wal-Mart shall remedy its  
18 failure to withhold 10 percent of Ms. Jones-Younger's disposable earnings  
19 after being served with the Writ of Garnishment on November 5, 2016, as  
20 follows: for the time period from November 5, 2016 through the present,

21 (A) Wal-Mart shall file an accounting with the Court showing the  
22 amounts of (i) Ms. Jones-Younger's gross and disposable earnings, (ii)  
23 Wal-Mart's withholdings therefrom pursuant to the garnishment, and (iii)  
24 Wal-Mart's refunds of excess withholdings to Ms. Jones-Younger; and  
25  
26  
27  
28

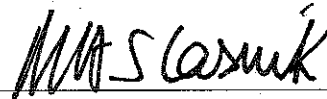
(B) if Wal-Mart has withheld in excess of 10 percent of Ms. Jones-Younger's disposable earnings, it shall refund such excess withholdings to her;

(4) Wal-Mart shall pay the United States' reasonable attorney's fees for attorney and support staff time spent litigating this Objection & Petition, as provided by 28 U.S.C. § 3205(c)(6). The United States shall file a request for such fees within 30 days of the entry of this Order; and

(5) Within 10 days of the entry of this Order, the United States shall destroy ADP's check for \$594.14.

IT IS SO ORDERED.

DATED: May 19, 2017



Hon. Robert S. Lasnik  
U.S. District Court Judge

Presented by:

s/ Kyle A. Forsyth  
Kyle A. Forsyth, WSBA # 34609  
Assistant United States Attorney